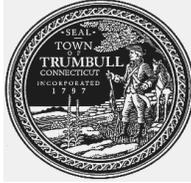


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LEGISLATION & ADMINISTRATION COMMITTEE  
MINUTES  
July 26, 2010

Call to Order: Chairman Suzanne Testing called the Legislation & Administration Committee meeting to order at 7:01 p.m. All present joined in a moment of silence and the pledge of allegiance.

Present: Chairman Suzanne Testani, Chad Ciocci, Mark Altieri and Michael Rappa.

Absent: Jeff Jenkins, Kristy Waizenegger.

Also Present: Dan Nelson, Chief of Staff and Town Council Chairman, Carl A. Massaro Jr.

1. RESOLUTION TC23-78: Moved by Mr. Ciocci, seconded by Mr. Rappa.

BE IT RESOLVED, that funding for a labor contract between the Town of Trumbull and AFSCME LOCAL 1303-33 (DPW) Trumbull Highway And Parks Employees beginning January 1, 2009 and ending June 30, 2012 is hereby approved.

Mr. Nelson presented on behalf of Labor Counsel Floyd Dugas.

Mr. Nelson stated that this resolution had come before the Legislation & Administration Committee in May, 2010 and had been sent to the Town Council without recommendation pending the union vote. There have been two (2) union votes since that meeting, the first of the two (2) votes; voted the contract down 21-12 and the second vote approximately 5-6 weeks later, ratified the contract 14-7. The contract had not changed since it was before the committee in May 2010. It is a 3-½ year contract ending with the fiscal year in June 30, 2012. Mr. Nelson explained that in Section B-4.8 of the contract the segregation of seniority lists for Parks & Highway has been deleted. There will be one list moving forward. The town and the Public Works Director are in favor of this change.

Under the *Wages and Salaries* section (page 10 of the contract) the following changes are included:

- Year one - ending December 2009 - 0% increase.
- Calendar Year Two - (this year) - 2 ½% increase.

- Year Three - 2 1/2 % increase.
- In the 6-Month Period of 2012 - 2% increase.

No retroactive pay is included in the contract. There is one furlough day this year, which day will not be mandated by the town. The department will choose the specific furlough day.

Included in the contract are increased *healthcare & pension contributions* as follows:

<u>Health Care Contributions</u>	<u>Pension</u>
Starting in 2009 - 11% contribution	
2010 - 11.5%	2010 - 4%
2011 - 12%	2011 - 4.5%
The 6-month period of 2012 – 12.5%	The 6-month period of 2012 - 5%

Mr. Altieri requested that the town attorney be present at the town council meeting

VOTE: Motion to recommend to the Town Council carried 2-0-2 (Against: Rappa and Altieri).

2. RESOLUTION TC 23-83: Moved by Mr. Rappa, seconded by Mr. Altieri.

BE IT RESOLVED AND ORDAINED, That pursuant to Connecticut General Statutes 7-148, the approval of building applications by the Town of Trumbull Building Department shall be withheld for any property upon which taxes or sewer charges are delinquent for the property for which the permit is to be issued. The delinquent taxes, along with applicable interest, fees and charges, shall be paid before a building permit application can be approved.

The Chair opened the Chair opened public hearing at 7:19 p.m.

There was one person from the public present to speak:

Councilman Robert Pescatore, Jr. of 97 Pinewood Trail stated that there is one area of concern that the committee may want to examine, the possible inclusion of an emergency clause to allow the property owner to remedy major structural damage if there was an emergency situation.

The Chair closed the public hearing closed at 7:21 p.m.

Mr. Nelson reported that a town attorney had reviewed and approved the code change. The resolution was modeled after the Westport code. The committee discussed whether it was necessary to add the emergency situation clause. The committee requested the town attorney's recommendation on this matter.

Mr. Ciocci moved, seconded by Ms. Testani to send Resolution TC23-83 to the Town Council without recommendation pending the Town attorney's recommendation on the emergency clause language.

VOTE: Motion carried 2-1-1 (Abstention: Altieri) (Against: Rappa).

3. RESOLUTION TC23-88: Moved by Mr. Ciocci, seconded by Mr. Rappa.

BE IT RESOLVED, That \$45,217 for Attorney Fees for MATE Arbitration Award Settlement is hereby appropriated from the Available General Fund Balance to 0101300-522203 Human Resources Ancillary.

Mr. Massaro stated that this resolution had been approved by the Finance Committee at last month's meeting; the Town Council had postponed the resolution pending further examination of the fees.

Mr. Massaro explained that the fees were higher due to the fact that the union had introduced an issue over and above the initial arbitration. The question posed by the union was whether or not the Town Council had passed the rejection of the contract; the additional fees included the research and time necessary to answer the union's question.

Mr. Rappa questioned the language "Attorney Fees" if the fees are for the arbitrators. Mr. Massaro stated that Labor Counsel Dugas will not be available for the August 2, 2010 meeting; the Director of Finance will be present. Mr. Massaro agreed that question would be addressed for the August 2, 2010 Town Council meeting.

VOTE: Motion to recommend to the Town Council carried 3-0-1 (Abstention: Altieri).

4. RESOLUTION TC23-90: Moved by Mr. Altieri, seconded by Mr. Rappa.

BE IT RESOLVED, That Timothy M. Herbst, the First Selectman of the Town of Trumbull, is hereby authorized to apply and sign for on behalf of the Town of Trumbull, a Small Town Economic Assistance Program grant in the amount of \$80,000 for expansion of the parking lots at Beach Park and Indian Ledge Park.

The Chair opened the public hearing at 7:37 p.m.

There was one person present from the public to speak to the resolution.

Mr. Dan Cronin of 172 Hedgehog Circle – Mr. Cronin questioned where specifically the parking lot at Beach Park would be expanded. Mr. Nelson explained the expansion was the paving of the existing the gravel section of the main parking lot. Mr. Cronin was in favor of that.

The Chair closed the public hearing at 7:39 p.m.

Mr. Nelson stated that this grant had been applied for in 2009. The State requires a signature change since there had been a change in administration. The Town Clerk is required by the state to sign an incumbency form; the state requires that resolution to be redone.

Mr. Ciocci stated he could not support this resolution based upon the state's deficit and increase in taxes of its residents.

VOTE: Motion to recommend to the Town Council carried 3-1 (Against: Ciocci).

There being no further business to discuss upon motion made by Mr. Ciocci, seconded by Mr. Altieri the Legislation & Administration Committee meeting adjourned at 7:41 p.m.

Respectfully Submitted,

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Margaret D. Mastroni